

01272.007910.4



PATENT APPLICATION

#22
Suppl IDS
SDavis
10/7/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
NORIBUMI KOITABASHI, ET AL.)	Examiner: A. Do
Appln. No.: 09/931,256)	Group Art Unit: 2853
Filed: August 17, 2001)	Allowed: April 30, 2003
For: INK-JET APPARATUS EMPLOYING)	
INK-JET HEAD HAVING A)	
PLURALITY OF INK EJECTION)	
HEATERS CORRESPONDING TO)	
EACH INK EJECTION OPENING)	July 30, 2003

RECEIVED
AUG - 1 2003
TECHNOLOGY CENTER 2800

Commissioner for Patents
MAIL STOP RCE
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Further to the Information Disclosure Statement filed February 24, 2003, in compliance with the duty of disclosure under 37 CFR 1.56 and in accordance with the practice under 37 CFR 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

The listed documents describe a mode for printing by ejecting large and small ink droplets.

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Also enclosed is a copy of a Chinese Office Action, along with an English translation thereof. It will be appreciated that the Office Action lists three documents, U.S. Patent No. 4,499,479, Japanese Laid-Open Patent Application No. 61-146556 and Japanese Laid-Open Patent Application No. 2-3324, which were cited in the Information Disclosure Statement filed November 14, 2001. These documents may be relevant for the reasons noted therein.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicants

Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MAW:mtt

DC_MAIN 137060 v 1

Sheet 1 of 1				ATTY. DOCKET NO. 01272.007910.4		APPLICATION NO. 09/931,256	
FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				APPLICANT NORIBUMI KOITABASHI, ET AL.			
LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>				FILING DATE August 17, 2001		GROUP 2853	
Date Submitted to PTO: July 30, 2003							
U.S. PATENT DOCUMENTS							
*EXAMINER'S INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,208,605	05/1993	Drake			
		5,220,342	06/1993	Moriyama			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
		1-285359	11/1989	Japan			Abstract
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER					DATE CONSIDERED		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

MAWagm

DC_MAIN 140008 v 1

THE PATENT OFFICE OF THE PEOPLE'S REPUBLIC OF CHINA

Address: 6 Xi Tu Cheng Lu, Haidian, Beijing

Post Code: 100088

Applicant:	CANON KABUSHIKI KAISHA	Date of Notification: Date: <u>30</u> Month: <u>04</u> Year: <u>2003</u>
Attorney:	FU JIANJUN	
Application No.:	00101037.9	
Title of the Invention:	INK-JET APPARATUS EMPLOYING INK-JET HEAD HAVING A PLURALITY OF INK EJECTION HEATERS CORRESPONDING TO EACH INK EJECTION OPENING	

Notification of Second Office Action

1. ☒ The examiner received the response submitted by the applicant on Feb. 24, 2003 to the 1 Office Action and further examination as to substance has been carried out on the above-identified patent application for invention on this new basis.
- ☐ According to the Reexamination Decision made by the Patent Reexamination Board of the Patent Office on _____ examination as to substance on the above-identified application has been resumed.
2. Further examination as to substance has been carried out based on the documents as specified below:
- ☐ The amended application documents attached to the response to the previous Office Action.
- ☒ The application documents based on which the previous examination was carried out and the substitution pages attached to the response to the previous Office Action.
- ☐ The application documents based on which previous examination was carried out.
- ☐ The application documents confirmed by the Reexamination Decision.
3. ☐ No further reference documents are cited in this Office Action.
- ☒ Below is/are the reference document(s) cited in this Notification:

No.	Number(s) or Title(s) of Reference(s)	Date of Publication (or the filing date of conflicting application)
1	US4499479A	Date: <u>12</u> Month: <u>2</u> Year: <u>1985</u>
2	JP SHO 61-146556	Date: <u>4</u> Month: <u>7</u> Year: <u>1986</u>
3	JP HEI 2-3324A	Date: <u>8</u> Month: <u>1</u> Year: <u>1990</u>
4		Date: __ Month: __ Year: __
5		Date: __ Month: __ Year: __

4. Conclusions of the Action:

- ☒ On the Specification:
- ☐ The amendments to the description do not comply with Article 33 of the Patent Law.
- ☐ The subject matter contained in the application is not patentable under Article 5 of the Patent Law.
- ☐ The description does not comply with Article 26 paragraph 3 of the Patent Law.
- ☒ The draft of the description does not comply with Rule 18 of the Implementing Regulations.

☒ On the Claims:

- ☐ The amendments to claims _____ do not comply with Article 33 of the Patent Law.
- ☐ Claim(s) _____ is/are not patentable under Article 25 of the Patent Law.
- ☐ Claim(s) _____ does/do not comply with the definition of inventions prescribed by Rule 2 paragraph 1 of the Implementing Regulations.
- ☐ Claim(s) _____ does/do not possess the novelty as required by Article 22 paragraph 2 of the Patent Law.
- ☒ Claim(s) 1-5,8 does/do not possess the inventiveness as required by Article 22 paragraph 3 of the Patent Law.
- ☐ Claim(s) _____ does/do not possess the practical applicability as required by Article 22 paragraph 4 of the Patent Law.
- ☐ Claim(s) _____ does/do not comply with Article 26 paragraph 4 of the Patent Law.
- ☒ Claim(s) 6,9(10) does/do not comply with Article 31 paragraph 1 of the Patent Law.
- ☐ Claim(s) _____ does/do not comply with the provisions of Rules 20-23 of the Implementing Regulations.
- ☐ Claim(s) _____ does/do not comply with Article 9 of the Patent Law.
- ☐ Claim(s) _____ does/do not comply with the provisions of Rule 12 paragraph 1 of the Implementing Regulations.

The detailed explanation of the above conclusions is set forth in the text portion of the Notification.

5. In view of the conclusions set forth above, the Examiner is of the opinion that:

- ☐ The applicant should make amendments to the application documents as directed in the text portion of the Notification.
- ☒ The applicant should expound in the response reasons why the application is patentable and make amendments to the application where there are deficiencies as pointed out in the text portion of the Notification, otherwise, the application will be rejected.
- ☐ The application contains no allowable invention, and therefore, if the applicant fails to submit sufficient reasons to prove that the application does have merits, it will be rejected.
- ☐

6. The followings should be taken into consideration by the applicant in making the response:

- (1) Under Article 37 of the Patent Law, the applicant should respond to the office action within 2 months counting from the date of receipt of the Notification. If, without any justified reason, the time limit is not met, the application shall be deemed to have been withdrawn.
- (2) Any amendments to the application should be in conformity with the provisions of Article 33 of the Patent Law. Substitution pages should be in duplicate and the format of the substitution should be in conformity with the relevant provision contained in "The Examination Guidelines".
- (3) The response to the Notification and/or revision of the application should be mailed to or handed over to the "Reception Division" of the Patent Office, and documents not mailed or handed over to the Reception Divisions have no legal effect.
- (4) Without an appointment, the applicant and/or his agent shall not interview with the Examiner in the Patent Office.

9. This Notification contains a text portion of 3 pages and the following attachments:

- ☒ 3 cited reference(s), totaling 33 pages. ☐

Examination Dept. 2-D Examiner: Cheng Hong

Seal of the Examination Department